



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION  
CENTRO EUROPA BUILDING, SUITE 417  
1492 PONCE DE LEON AVENUE, STOP 22  
SAN JUAN, PR 00907-4127

**092811**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Luis Figueroa, President  
Battery Recycling Company, Inc.  
P.O. Box 1016  
Arecibo, Puerto Rico 00613-1016

Re: Battery Recycling Company, Inc. Administrative Order, CAA-02-2011-1010

Dear Mr. Figueroa:

On August 9, 2011, the United States Environmental Protection Agency (“EPA”) Region 2 issued an Administrative Compliance Order (“Order”) with EPA Index No. CAA-02-2011-1010 to Battery Recycling Company, Inc. (“BRC” or “Respondent”) for violations of the Clean Air Act, 42 U.S.C. § 7401, *et seq.* (“CAA” or “Act”) at its secondary lead smelting facility located on Puerto Rico Road #2, KM 72.2, Cambalache Ward, Arecibo, Puerto Rico.

Pursuant to the Order, BRC had the opportunity to request a conference with EPA concerning the violations alleged in the Order within ten (10) days from the receipt of the Order. BRC received the Order on August 11, 2011, therefore, it had until August 22, 2011<sup>1</sup>, to request a conference with EPA. BRC did not request a conference by then and as such, the Order became effective ten (10) days after receipt, on August 22, 2011. As a result, items II, III and IV of the Order Section immediately required corrective action on the bag leak detection system, implementation of monitoring and work practice requirements at each baghouse and to maintain compliance with recordkeeping and reporting requirements at each baghouse. We hereby request BRC to provide us with documentation indicating that these requirements have been satisfied.

In addition, items V, VI, and X of the Order Section have requirements that should have been submitted to EPA within ten (10) days from the effective date of this Order, on September 1, 2011. These items required the submittal of the results of the 2010 performance tests conducted on the air pollution control devices associated with the Second and Third Furnaces, the results of the 2010 tests conducted on its fugitive emission enclosure hoods to determine compliance with face velocity requirements and the bag leak detection alarm logs for July 2009 through the effective date of this Order.

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<sup>1</sup> BRC had until August 21, 2011, to request a conference with EPA but since this was a Sunday, the deadline was moved to the next working day which was Monday, August 22, 2011.

This is to notify BRC that its failure to comply with any of the items of the Order may result in an administrative or civil action for appropriate relief as provided in Section 113 of the Clean Air Act. Inquiries concerning this Order shall be made in writing to:

Héctor L. Vélez Cruz, Esq.  
Office of Regional Counsel, Caribbean Team  
U.S. Environmental Protection Agency – Region 2  
Caribbean Environmental Protection Division  
1492 Ponce de León Ave. Suite 417  
San Juan, Puerto Rico 00907  
(787) 977-5850  
(787) 729-7748 (Fax).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Carl Axel P. Soderberg', written over a horizontal line.

Carl Axel P. Soderberg  
Director  
Caribbean Environmental Protection Division  
U.S. Environmental Protection Agency – Region 2